

SCANNED
DATE: 12/23/04
BY: M.P.

FILED
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2004 DEC 20 P 3:37

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U.S. DISTRICT COURT
DISTRICT OF MASS.

December 17, 2004

George Howarth, Clerk
United States District Court for
The District of Massachusetts
Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: *Kevin Kilelee v. Dow Chemical Company*
Civil Action No. 04-V-12130 MEL

Dear Mr. Howarth:

I obtained a copy of the letter of Attorney McGurn dated December 14, 2004 from PACER. Since that letter I contacted Attorney McGurn by EMAIL and telephone with a draft stipulation asking if she would agree to allow the plaintiff until January 15th to file a motion to amend the complaint and along with the amended complaint. Yesterday attorney McGurn returned my call and informed me she was checking with her client for authority to agree to such a stipulation. By the end of next week I will either file the stipulation for additional time to file an amended complaint or my motion for leave of court to allow the filing of an amended complaint and the amended complaint by January 15th, 2005.

I respectfully request that before defendant's motion to dismiss is brought to Judge Lasker's attention I be given an opportunity to file these pleadings for the Courts consideration.

Please give me a call if you have any questions. Thank you for your assistance.

Sincerely yours,



David G. Prentiss

DGP/cc

cc: Kristen G. McGurn, Esq. (BY EMAIL)
Mr. Kevin Kilelee

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Howarth..doc